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6 Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 ALEJANDRO GALVAN-SILVESTRE, JR.,  
15 Defendant.

CASE NO. 1:22-cr-00234-ADA-BAM

**STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER**

DATE: January 25, 2023  
TIME: 1:00 p.m.  
COURT: Hon. Barbara A. McAuliffe

## **STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on January 25, 2023.
  2. By this stipulation, defendant now moves to continue the status conference until March 22, 2023, and to exclude time between January 25, 2023, and March 22, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

3. The parties agree and stipulate, and request that the Court find the following:

  - a) The government has represented that the discovery associated with this case includes investigative reports produced in electronic form. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

- 1                   b)     On October 4, 2022, the government provided a plea offer to the defendant.
- 2                   c)     Counsel for defendant desires additional time to review discovery, conduct further
- 3                   investigation, and review the government's proposed plea offer with the defendant.
- 4                   d)     Counsel for defendant believes that failure to grant the above-requested
- 5                   continuance would deny them the reasonable time necessary for effective preparation, taking into
- 6                   account the exercise of due diligence.
- 7                   e)     The government does not object to the continuance.
- 8                   f)     Based on the above-stated findings, the ends of justice served by continuing the
- 9                   case as requested outweigh the interest of the public and the defendants in a trial within the
- 10                  original date prescribed by the Speedy Trial Act.
- 11                  g)     For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
- 12                  et seq., within which trial must commence, the time period of January 25, 2023 to March 22,
- 13                  2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
- 14                  T4] because it results from a continuance granted by the Court at defendant's request on the basis
- 15                  of the Court's finding that the ends of justice served by taking such action outweigh the best
- 16                  interest of the public and the defendant in a speedy trial.

17       4.     Nothing in this stipulation and order shall preclude a finding that other provisions of the  
18     Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
19     must commence.

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1 IT IS SO STIPULATED.

2 Dated: January 18, 2023

3 PHILLIP A. TALBERT  
United States Attorney

4 \_\_\_\_\_  
5 /s/ KAREN A. ESCOBAR  
6 KAREN A. ESCOBAR  
7 Assistant United States Attorney

8 Dated: January 18, 2023

9 \_\_\_\_\_  
10 /s/ CHRISTINA M.  
11 CORCORAN  
12 CHRISTINA M. CORCORAN  
13 Counsel for Defendant  
14 ALEJANDRO GALVAN-  
15 SILVESTRE, JR.

16 **ORDER**

17 IT IS SO ORDERED that the status conference is continued from January 25, 2023, to **March 22, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

19 IT IS SO ORDERED.

20 Dated: January 18, 2023

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22 /s/ Barbara A. McAuliffe  
23 UNITED STATES MAGISTRATE JUDGE